

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON CARDINALE,

Defendant.

8:22CR247

**ORDER ON PETITION FOR ACTION ON
CONDITIONS OF PRETRIAL RELEASE**

The defendant appeared before the Court on August 29, 2023 regarding Amended Petition for Action on Conditions of Pretrial Release [56]. Richard McWilliams represented the defendant. Kathryn Pflug represented the government. The defendant was advised of the alleged violation(s) of pretrial release, the possible sanctions for violation of a release condition, and the right to a hearing in accordance with the Bail Reform Act. 18 U.S.C. § 3148.

The government made an oral motion to dismiss Petition for Action on Conditions of Pretrial Release [42]. The government's oral motion to dismiss Petition for Action on Conditions of Pretrial Release [42] is granted without objection.

The defendant entered an admission to violating a condition of release. The Court took judicial notice of the petition and violation report. The court finds the defendant freely, knowingly, intelligently, and voluntarily admitted violating release condition (k) and denied allegation (1). The government moved to dismiss allegation (1), which the court granted. The Court further finds there is clear and convincing evidence that a condition was violated. Therefore, the Court finds the defendant violated the Order Setting Conditions of Release [27].

The government requests an order of revocation and detention. However, the defendant is in state custody. Therefore, the government's oral motion for detention shall be held in abeyance pending the defendant's coming into federal custody. The U.S. Marshal is authorized to return the defendant to the custody of Iowa state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

IT IS SO ORDERED.

Dated this 29th day of August, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge